

OFFICE OF ATTORNEY GENERAL TERRY GODDARD

Frequently Asked Questions about House Bill 2815 pseudoephedrine sales; restrictions; penalties

Despite taking a devastating toll on children, law enforcement, fire fighters, health care providers, and taxpayers, methamphetamine remains an easy drug to make from legal products in Arizona. Part of a comprehensive approach to tackling Arizona's meth problem is addressing the meth labs on Arizona soil that are contributing to our meth problem, posing a risk to our children, and threatening our first responders. Meth is made from legal, easily obtainable products. However, there is one ingredient meth cooks must have to make the drug – pseudoephedrine. When Oklahoma kept meth cooks from buying large quantities of pseudoephedrine, it reduced the number of meth labs by 80%. Over a dozen other states followed suit, and each has seen dramatic reductions in meth labs. Reducing the number of meth labs in Arizona will protect our neighborhoods, protect our children, protect our first responders, and protect our environment.

How will this bill work?

Meth cooks must have pseudoephedrine to make meth. This bill eliminates the ability of meth cooks to buy large quantities or shoplift these products.

Where will pseudoephedrine be sold?

Products containing pseudoephedrine will be sold at any pharmacy in Arizona by the five categories of licensed pharmacy staff.

What steps will a customer take to purchase a product with pseudoephedrine?

Customers will simply show the pharmacy staff government issued photo identification that includes date of birth and sign the written or electronic log maintained by the pharmacy. This identification process is currently required by most retailers who accept checks and credit cards.

How much pseudoephedrine will a customer be able to purchase?

A customer may purchase up to nine grams of pseudoephedrine in 30 days, which equals 367 30 mg tablets. This is far more than needed for an adult to take the maximum recommended dose every day for a month. Nine grams also exceeds the amount needed for five children to take the maximum recommended dose every single day for two weeks. Physicians may provide prescriptions for pseudoephedrine exceeding nine grams.

What steps will a pharmacy take to sell pseudoephedrine?

The licensed pharmacy staff will enter into a written or electronic log the date of purchase, name and birth date of the purchaser, the type of identification provided, and the amount of pseudoephedrine purchased. The pharmacy will maintain the log in a manner that does not disclose a purchaser's identity to anyone except licensed pharmacy staff or law enforcement. The log will be stored for 90 days, unless a local ordinance requires the pharmacy to submit the log to law enforcement. The log is available for inspection and copying by law enforcement during business hours and must be disposed of in a manner that ensures the continued confidentiality of the information in the log.

What if a pharmacy does not properly maintain a log?

Each individual pharmacy is responsible for maintaining the log. A first violation results in a written warning. Any additional violations increase the civil penalty to a maximum of \$1,000 per day. A pharmacy that refuses to enter the required information in a log is subject to a maximum penalty of \$1,000 per day.